



334 Constantino, M.

CP-336  
S. Little  
3-8-89

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : HESSEL  
Serial No. : 07/148,992 ✓  
Filed : January 27, 1988  
Examiner : M. Constantino  
Art Unit : 336  
For : TUBULAR PROTECTIVE DEVICE FOR PROTECTION AGAINST  
TRANSFER OF INFECTIOUS MATTER DURING SEXUAL  
INTERCOURSE

#9/Prior  
Act  
RECEIVED  
MAR-6 89  
GROUP 330

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. 1.56**

The Honorable Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

The citations listed below, copies attached, may be material to the examination of the above-identified application, and are, therefore, submitted in compliance with the duty of disclosure defined in 37 C.F.R. 1.56. The Examiner is requested to make these citations of official record in this application.

The following patent was cited by the Examiner of the applicant's corresponding PCT application.

U.S. Patent 4,726,359 to Schroeder discloses protective end caps on rolled condoms. This patent has an issue date of February 23, 1988. The end cap does not maintain the closed end

of a condom in a vagina. The end cap is removed from the condom before coitus.

The applicant is aware of a Palo Alto Medical Foundation news release dated December 19, 1988. The news release discloses a condom invented by Lash. The news release discusses the similarities between the Lash condom and the applicant's invention which is known as the "Femshield". The news release states that the Lash condom is the subject of a patent application having a "confidential disclosure" filing date of September, 1987.

It is respectfully requested that the Examiner review the Lash application to determine whether an interference should be declared with the applicant's application and claims.

This Information Disclosure Statement under 37 C.F.R. 1.56 is not to be construed as a representation that a search has been made, that additional matter material to the examination of this application does not exist, or that any one or more of these citations constitutes prior art under 35 U.S.C. 102.

Respectfully submitted,

MACKLER, COOPER AND GIBBS, P.C.

By: 

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